



State of New Jersey
OFFICE OF THE CORRECTIONS OMBUDSMAN

WHITTLESEY ROAD
P.O. BOX 855
TRENTON, NJ 08625

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

DAN DiBENEDETTI
Corrections Ombudsman

May 16, 2021

Tremayne Durham #OS01613467
New Jersey State Prison
PO Box 861
Trenton, New Jersey 08628

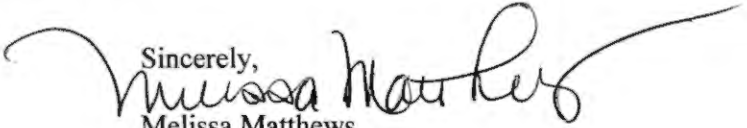
Dear Mr. Durham:

This correspondence will acknowledge your letter to this office dated April 29, 2021 regarding fans and staff.

I am unable to find a policy or mention in N.J.A.C. 10A regarding the use of fans on a housing unit. It is my understanding that the use, to include times are at the discretion of the custody staff working on the unit. The fans would be in use when there is a rise in temperature.

You may request the names of staff working on a housing unit during a particular date and shift by filing an Open Public Records Act Form. I have enclosed a blank form for your use.

I hope that you find this information to be of help to you.

Sincerely,

Melissa Matthews
Assistant Ombudsman

Enclosure(s)
C: File

New Jersey State Prison-Main

Trenton, NJ

Fax:

March 15, 2021

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Office Visit

TREMAYNE DURHAM

Male DOB:11/04/1974 Booking #:647007 SBI:OS01613467

Ins: NJDOCIC (NJDOCIP)

02/05/2021 - Office Visit: Soap for back pain,sleep problems

Provider: Robin Miller, MD

Location of Care: New Jersey State Prison-Main

Vital Signs

Ht: 282 in. Wt: 282 lbs. inches

Body Mass Index in-lb

Height (in): 282

Weight (lb): 282

BMI (in-lb) 2.50

AST to Platelet Ratio Index (APRI)

SGOT (AST): 17

Platelets: 248 THOUSAND/UL

T: 97.5 deg F. R: 16 BP: 123/79

Apical Pulse rate: 64 Pulse Ox: 98

Blood Pressure: 123/79 mm Hg

Peak Flow

Orientation Level

Oriented to time? Yes

Oriented to place? Yes

Oriented to person Yes

Doctor Visit: subjective

From Doctor Visit

Referral Source: clinic

Dr Visit Chief Complaint: renew motrin 800 for his djd back.crt ok 10/20 labs.he has trouble sleeping at night for the big fans blowing at night,]Says they don't sell earplugs in commissary.

Reason for Visit: Sick Call

Mental Health High-Risk Inquiry Incident:

Physical Exam

General appearance: well nourished, well hydrated, no acute distress

Neck

Neck: supple, no masses, trachea midline

Thyroid: no nodules, masses, tenderness, or enlargement

Respiratory

Respiratory effort: no intercostal retractions or use of accessory muscles

Auscultation: no rales, rhonchi, or wheezes

New Jersey State Prison-Main

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Office Visit

TREMAYNE DURHAM

Male DOB:11/04/1974 Booking #:647007 SBI:OS01613467

Ins: NJDOCIC (NJDOCIP)

Cardiovascular

Auscultation: S1, S2, no murmur, rub, or gallop

Periph. circulation: no cyanosis, clubbing, edema, or varicosities

Lymphatic

Neck: no cervical adenopathy

Musculoskeletal

Gait and station: normal, can undergo exercise testing and/or participate in exercise program

Digits and nails: no clubbing, cyanosis, petechiae, or nodes

Spine, ribs, pelvis: some d/c in low back more internal uses a cane

Assessment

Does the patient understand the treatment plan? Yes

Does the patient agree with treatment plan? Yes

Medications:

IBUPROFEN 800 MG TABS (IBUPROFEN) take 1 po bid prn back pain

Plan:

djd with moderate facet arthropathy l4-5,l5-S1 by mricontinue motrin800mg bid check bmp in 3 months

trouble sleeping with loud ceiling fan in west wing nothing can offer him

Disposition

Disposition: return for followup

Return in: Prn

Copay

Medical Copay Charged: 0

Medication Copay Charged: 0

Orders to be Processed and/or Transcribed

New or Changed Medications & Immunizations

IBUPROFEN 800 MG TABS (IBUPROFEN) take 1 po bid prn back pain

Discontinued Medications & Immunizations

IBUPROFEN 800 MG TABS (IBUPROFEN) take 1 tab po BID prn for pain x 14 days

Exhibit B-3

Declaration of: EUGENE M. GUILLETTE

Pursuant to 28 U.S.C. § 1746, I, EUGENE M. GUILLETTE declare under the penalty of perjury that the following is true and correct.

I, EUGENE M. GUILLETTE am housed at New Jersey State Prison on 21st housing unit at cell #118.

① While on 21st housing unit on March 11, 2021 I overheard OFC J. PATTY laughing and telling a inmate Durham has been complaining about everything and even vermin and insects in his cell. I am not calling any exterminator this is the third time he asked me this year.

② On March 12, 2021, on 21st OFC Z. Goodwin and OFC L. JOVANOVIC walked by my cell saying we don't have to call a exterminator for Durham, that's his problem.

Dated: June 29, 2021

Respectfully,
EUGENE GUILLETTE

New Jersey State Prison-Main

Trenton, NJ

Fax:

March 15, 2021

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Office Visit

TREMAYNE DURHAM

Male DOB:11/04/1974 Booking #:647007 SBI:OS01613467

Ins: NJDOCIC (NJDOCIP)

03/08/2021 - Office Visit: Sick Call diarrhea x 2 weeks on and off

Provider: Robin Miller, MD

Location of Care: New Jersey State Prison-Main

Vital Signs

Ht: 73 in. Wt: 278 lbs. inches

Body Mass Index in-lb

Height (in): 73

Weight (lb): 278

BMI (in-lb) 36.81

AST to Platelet Ratio Index (APRI)

SGOT (AST): 17

Platelets: 248 THOUSAND/UL

T: 98.4 deg F. R: 16 BP: 122/80

Apical Pulse rate: 79 Pulse Ox: 98

Blood Pressure: 122/80 mm Hg

Peak Flow

Orientation Level

Oriented to time? Yes

Oriented to place? Yes

Oriented to person Yes

Doctor Visit: subjective

From Doctor Visit

Referral Source: clinic

Dr Visit Chief Complaint: diarrhea on and off for 2 weeks.He attributes it to drinking the water in the cell.he avoids milk productsas he is lactose intolerant.he needs his cane pass renewed .

Reason for Visit: Sick Call

Mental Health High-Risk Inquiry Incident:

Physical Exam

General appearance: well nourished, well hydrated, no acute distress

Respiratory

Respiratory effort: no intercostal retractions or use of accessory muscles

Auscultation: no rales, rhonchi, or wheezes

Cardiovascular

Auscultation: S1, S2, no murmur, rub, or gallop

Periph. circulation: no cyanosis, clubbing, edema, or varicosities

New Jersey State Prison-Main

Trenton, NJ

Fax:

March 15, 2021

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Office Visit

TREMAYNE DURHAM

Male DOB:11/04/1974 Booking #:647007 SBI:OS01613467

Ins: NJDOCIC (NJDOCIP)

Gastrointestinal

Abdomen: soft, non-tender, no masses, bowel sounds normal

Lymphatic

Neck: no cervical adenopathy

Musculoskeletal

Gait and station: normal, can undergo exercise testing and/or participate in exercise program

Digits and nails: no clubbing, cyanosis, petechiae, or nodes

Head and neck: normal alignment and mobility

Skin

Inspection: no rashes, lesions, or ulcerations

Mental Status Exam

Orientation: oriented to time, place, and person

Assessment

Does the patient understand the treatment plan? Yes

Does the patient agree with treatment plan? Yes

Medications:

LOPERAMIDE HCL 2 MG CAPS (LOPERAMIDE HCL) take 2 po up to bid prn diarrhea

Plan:

diarrhea loperamide 2mg 2 po up to bid prn diarrhea

cane pass for 1 year for back pain and knee pain

Disposition

Disposition: return for followup

Return in: Prn

Copay

Medical Copay Charged: 0

Medication Copay Charged: 0

Orders to be Processed and/or Transcribed

New or Changed Medications & Immunizations

LOPERAMIDE HCL 2 MG CAPS (LOPERAMIDE HCL) take 2 po up to bid prn diarrhea

New Jersey State Prison-Main

Trenton, NJ

Fax:

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Office Visit

TREMAYNE DURHAM

Male DOB:11/04/1974 Booking #:647007 SBI:OS01613467

Ins: NJDOCIC (NJDOCIP)

Labs, Consults, Tests&Procedures, Clearances, Restrictions, Referrals, etc.

Other Restrictions [S099]

Electronically Signed by Robin Miller, MD on 03/08/2021 at 1:29 PM

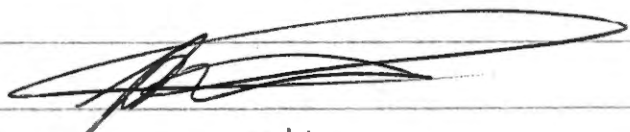
Exhibit B-7

Civil Action No.

Pursant to 28 U.S.C. Section 1746, I, Brian Killion, declare under the penalty of perjury the following is true and correct:

1. I, Brian Killion, 874099/534343E, am incarcerated at New Jersey State Prison in 2 Left cell 104.
2. Since I have been on 2 Left, regular correctional staff and C.O. Julio Esquilan have opened doors and windows in addition to turning off heaters despite the outdoor temperature being under 40°F and interior temperature under the Department of Corrections minimum of 66°F.
3. On a regular basis, during cold weather, the wall mounted fans and floor stand fans are turned on where the interior temperature is below 66°F since at least 2019 to present.
4. The use of said fans is also used to drown out noise and calls for assistance of correctional staff by prisoners and staff alike and is exacerbated by Esquilan's yelling; banging pipes, door bars and other various items on the wing. Since at least 2019 to present.

Dated: February 4, 2021



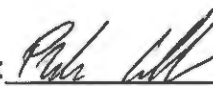
Brian Killion

Exhibit B-8

CIVIL ACTION No. _____

Pursuant to 28 U.S.C. section 1746, I Roberto Grillo declares the following is true and correct under the penalty of perjury.

- 1) I, Roberto Grillo SBI # 609227-C, Inmate # 1195482 am incarcerated at New Jersey State Prison. I am housed on 2 Left 164 Cell.
- 2) Since being on the unit 2 Left I have been extremely cold because windows in front of my cell and throughout the unit are left open. This occurred during January 19 – March 9, 2021. On numerous days I have not been able to do my legal work because of the cold. The heat has also been off regularly when temperatures were under 40°. When I tried to get extra blankets I was denied by staff.
- 3) On February 15, 2021 I told O.F.C. J. Akturk about the extreme cold condition and about the heat being turned off and about an extra blanket and she ignored me and walked away.
- 4) On March 11, 2021 I alerted O.F.C. L. Jovanovic about the cold and my need for an extra blanket he said “I will see what I can do”, nothing was done.
- 5) On March 13, 2021 I told O.F.C. Z. Goodwin about the issues above and also about a window missing causing cold air to come in my cell he said “don’t come to prison”

Sign: 

Date: 4-13-2021